

IN RE: PETITION FOR ADMIN. VARIANCE \* BEFORE THE  
NE/Corner Gwynnbrook Avenue and \* DEPUTY ZONING COMMISSIONER  
Byway Road \* OF BALTIMORE COUNTY  
(201 Gwynnbrook Avenue) \*  
4th Election District \* Case No. 97-151-A  
3rd Councilmanic District \*  
Kenneth E. Rogers, et ux \*  
Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 201 Gwynnbrook Avenue, located in the vicinity of Reisterstown Road in Owings Mills. The Petition was filed by the owners of the property, Kenneth E. and Deborah A. Rogers. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 23 feet in lieu of the required 30 feet for a proposed 15' x 36.6' addition to the rear of the existing dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The property has been duly posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation submitted. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

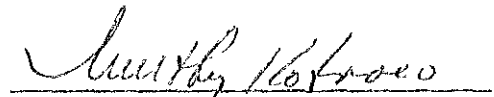
MICROFILMED

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6<sup>th</sup> day of November, 1996 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 23 feet in lieu of the required 30 feet for a proposed 15' x 36.6' addition to the rear of the existing dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs



Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

November 6, 1996

Mr. & Mrs. Kenneth E. Rogers  
201 Gwynnbrook Avenue  
Owings Mills, Maryland 21117

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
NE/Corner Gwynnbrook Avenue and Byway Road  
(201 Gwynnbrook Avenue)  
4th Election District - 3rd Councilmanic District  
Kenneth E. Rogers, et ux - Petitioners  
Case No. 97-151-A

Dear Mr. & Mrs. Rogers:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File

97-151-A



# Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 201 GWYNNBROOK AVE

which is presently zoned DR3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1., BCZR TO

PERMIT A REAR YARD SETBACK OF 23' FOR AN ADDITION  
IN LIEU OF THE REQUIRED 30'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE REVERSE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

I/We do solemnly declare and affirm, under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

Legal Owner(s).

(Type or Print Name)

KENNETH E ROGERS  
(Type or Print Name)

Signature

Kenneth E Rogers  
Signature

Address

DEBORAH A. ROGERS  
(Type or Print Name)

City

State

Zipcode

DEBORAH A. ROGERS  
Signature

Attorney for Petitioner

(Type or Print Name)

201 GWYNNBROOK AVE. (410) 356-9216  
Address Phone No

Signature

OWINGS MILLS MD 21117  
City State Zipcode  
Name, Address and phone number of representative to be contacted

Address

Phone No

K. ROGERS  
Name

City

State

Zipcode

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_ 19\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: JMM

DATE: 10-1-96

ESTIMATED POSTING DATE: 10-13-96



Printed with Soybean Ink  
on Recycled Paper

MICROFILMED 151

ORDER RECEIVED FOR FILING

Date

By

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 201 GWYNNBROOK AVE  
address  
OWINGS MILLS MD. 21117  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

WE NEED TO ENLARGE ONE BEDROOM  
HOUSE. WE ARE EXPECTING A BABY SO  
WE NEED ANOTHER BEDROOM

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Deborah A. Rogers  
(signature)  
DEBORAH A. ROGERS  
(type or print name)



Kenneth E. Rogers  
(signature)  
Kenneth E. ROGERS  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 26<sup>th</sup> day of September, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Deborah A. ROGERS & Kenneth E. Rogers

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

9/26/96  
date

Sue E. W. DeRocco  
NOTARY PUBLIC

My Commission Expires: 10-30-96

Zoning DESCRIPTION FOR  
201 Gwynnbrook Ave.

THAT PROPERTY LOCATED ON THE  
EASTERN CORNER of Gwynnbrook Ave.  
AND Byway Rd. Consisting of 1 acre +/-  
E.D. 4<sup>TH</sup> C.D. 3<sup>RD</sup>

ALSO KNOWN AS:

LOT 1, SECTION A of "PLEASANT  
HILL PARK"; PLAT BOOK WPC 7, Folio 65

~~97-151-A~~

ON  
NO  
OK  
CU  
CU  
ZU

ACCOUNT Pool - 6150

AMOUNT \$ 50.00

Kenneth Rogers

RECEIVED

**FROM**

**FOR:**

VALIDATION

DIS - ION	PINK - AGENCY	YELLOW - CUSTOMER
<u>WHITE - CASHIER</u>		

**VALIDATION OR SIGNATURE OF CASHIER**

拾伍、〇〇

REC'D FILED  
JAN 20 1964  
FBI - TAMPA

97-151-A

52



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

97-151-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

**NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.**

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 151 Petitioner: KENNETH & DEBORAH ROGERS

Location: SAME AS BELOW

PLEASE FORWARD ADVERTISING BILL TO:

NAME: KENNETH + DEBORAH ROGERS

ADDRESS: 201 GWYNNBROOK AVE

OWINGS MILLS MD. 21117

PHONE NUMBER: (410) 356-9216

MICROFILMED





# Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: \_\_\_\_\_

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: \_\_\_\_\_

plat book# \_\_\_\_\_, folio# \_\_\_\_\_, lot# \_\_\_\_\_, section# \_\_\_\_\_

OWNER: \_\_\_\_\_



North

date: \_\_\_\_\_ prepared by: \_\_\_\_\_ Scale of Drawing: 1"= \_\_\_\_\_



Vicinity Map  
scale: 1"=1000'

## LOCATION INFORMATION

Election District: \_\_\_\_\_

Councilmanic District: \_\_\_\_\_

1"=200' scale map#: \_\_\_\_\_

Zoning: \_\_\_\_\_

Lot size: \_\_\_\_\_  
acres square feet

SEWER: ☐ public ☐ private  
WATER: ☐ ☐

Chesapeake Bay Critical Area: ☐ yes ☐ no  
Prior Zoning Hearings: \_\_\_\_\_

## Zoning Office USE ONLY!

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 10-13-96.

Format for Sign Printing, Black Letters on a White Background:

<p><b>ZONING NOTICE</b></p> <p><b>ADMINISTRATIVE VARIANCE</b></p>
<p><b>Case No.:</b> <u>97-151-A</u></p> <p><u>TO PERMIT A REARYARD SET OF 23' FOR</u> <u>AN ADDITION IN LIEU OF THE REQUIRED</u> <u>30'.</u></p>
<p><b>PUBLIC HEARING ?</b></p> <p><b>PURSUANT TO SECTION 26-127(b) (1), <u>BALTIMORE COUNTY CODE</u>, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON</b> <u>10-28-96</u></p> <p>ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391</p> <p><b>DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW</b></p> <p><b>HANDICAPPED ACCESSIBLE</b></p>



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

October 10, 1996

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-151-A (Item 151)  
EC Gwynn Brook Avenue and By-Way Road  
201 Gwynn Brook Avenue and By-Way Road  
4th Election District - 3rd Councilmanic  
Legal Owner(s): Kenneth E. Rogers and Deborah A. Rogers  
Post by Date: 10/13/96  
Closing Date: 10/28/96

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: Kenneth and Deborah Rogers

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

November 14, 1996

Mr. and Mrs. Kenneth E. Rogers  
201 Gwynnbrook Avenue  
Owings Mills, MD 21117

RE: Item No.: 151  
Case No.: 97-151-A  
Petitioner: Kenneth Rogers, et ux

Dear Mr. and Mrs. Rogers:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 13, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

ENCLOSURE



*John Alexander*

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: October 25, 1996

FROM: *RWB* Robert W. Bowling, Chief  
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting  
for October 21, 1996  
Item Nos. (151), 153, 154, 155, 156,  
158, 159, and 160

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE33

*10/25/96*



**Maryland Department of Transportation  
State Highway Administration**

David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 151 (J.C.M.)  
10-24-96

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for* Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Baltimore, Maryland 21203

B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO:      Arnold Jablon, Director  
         Permits and Development  
         Management

DATE:   October 10, 1996

FROM:    Pat Keller, Director  
         Office of Planning

SUBJECT:    Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 115, 149 (151), 153, 154, 156, 158, and 159

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

*Jeffrey M. Long*

Division Chief:

*Carol L. Kerns*

PK/JL

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE:

10/11/96

FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM

SUBJECT: Zoning Advisory Committee

Meeting Date: Oct 15

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

156

(151)

152

156

158

160

RBS:sp

BRUCE2/DEPRM/TXTSBP

ENCLOSURE



Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410)887-4880

DATE: 10/10/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 10, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

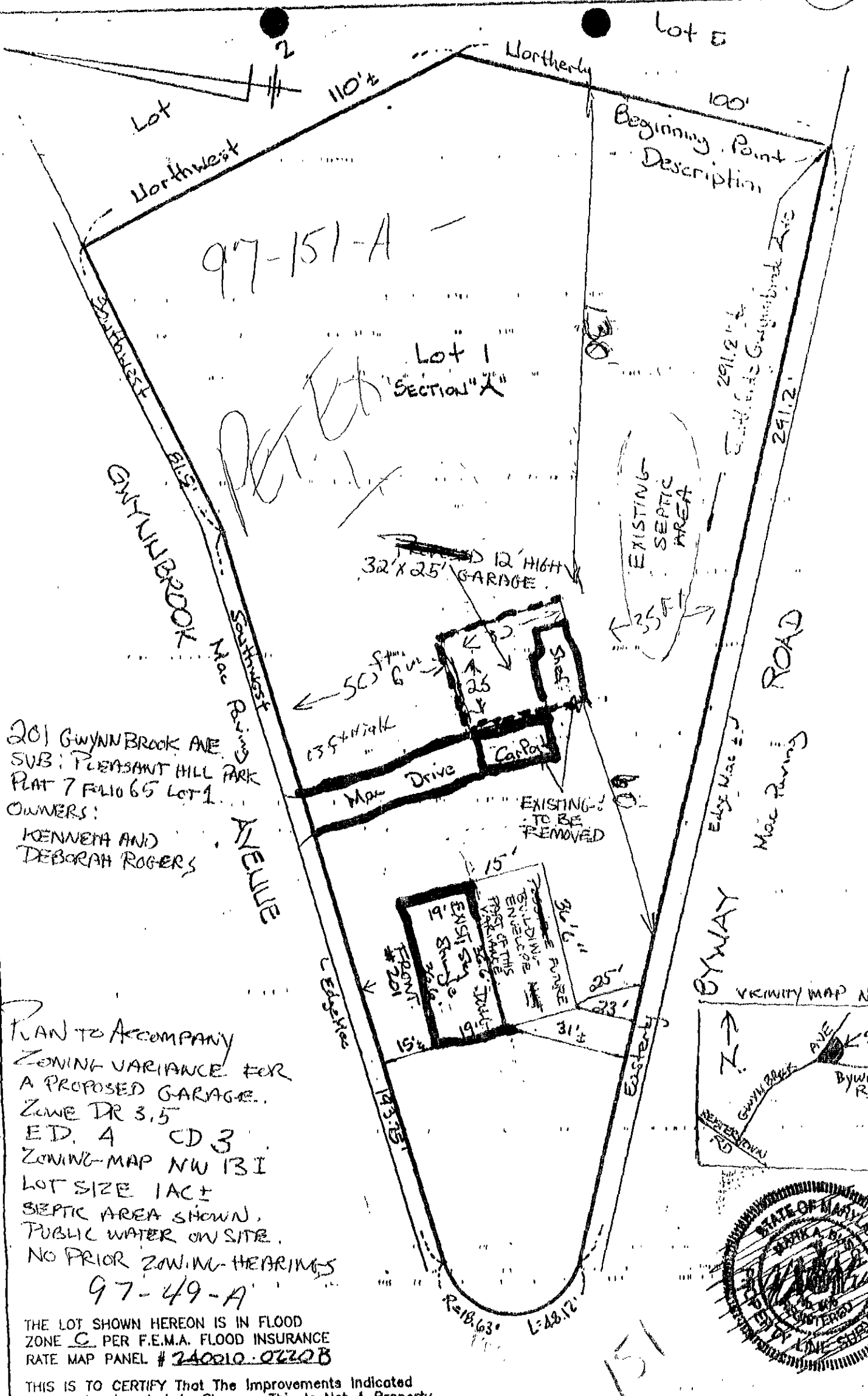
8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 149, 150, 151, 152, 153, 154,  
155, 156, 158, 159 and 160.

*[Handwritten signature]*

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



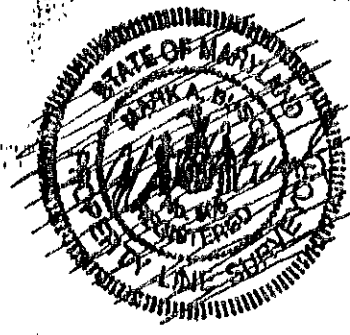
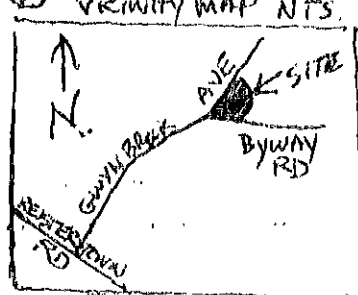


201 GWYNNBROOK AVE  
SUB: PLEASANT HILL PARK  
PLAT 7 FOLIO 65 LOT 1  
OWNERS:  
KENNETH AND  
DEBORAH ROGERS

PLAN TO ACCOMPANY  
ZONING VARIANCE FOR  
A PROPOSED GARAGE.  
ZONE DR 3.5  
ED. 4 CD 3  
ZONING-MAP NW 131  
LOT SIZE 1 AC ±  
SEPTIC AREA SHOWN.  
PUBLIC WATER ON SITE.  
NO PRIOR ZONING HEARINGS  
97-49-A

THE LOT SHOWN HEREON IS IN FLOOD  
ZONE C PER F.E.M.A. FLOOD INSURANCE  
RATE MAP PANEL # 240010-0220B

THIS IS TO CERTIFY That The Improvements Indicated  
Hereon Are Located As Shown. This Is Not A Property  
Line Survey And Should Not Be Used As Such.



**H** HICKS ENGINEERING CO., INC.  
ENGINEERS, SURVEYORS & PLANNERS  
200 EAST JOPPA ROAD - SUITE 402  
TOWSON, MARYLAND 21288  
TELEPHONE: (410) 484-0001

LOCATION CERTIFICATION  
# 201 GWYNNBROOK AVENUE; LOT 1, SECTION A  
"PLAT OF PLEASANT HILL PARK"  
BALTO. CO., MD. PLAT BOOK WPC 7, FOLIO 65  
DATE: 7/21/94 SCALE: 1" = 30' FILE: 17532









SHEET

LOCATION

SCALE

1" = 200' ±

NW

13-1

MICROFILMED

BELL TOWN

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP



IN RE: PETITION FOR ADMIN. VARIANCE \* BEFORE THE  
NE/CORNER Gwynnbrook Avenue and \* DEPUTY ZONING COMMISSIONER  
Byway Road (201 Gwynnbrook Avenue)  
4th Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \* Case No. 97-151-A  
Kenneth E. Rogers, et ux  
Petitioners

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 201 Gwynnbrook Avenue, located in the vicinity of Reisterstown Road in Owings Mills. The Petition was filed by the owners of the property, Kenneth E. and Deborah A. Rogers. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 23 feet in lieu of the required 30 feet for a proposed 15' x 36.6' addition to the rear of the existing dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was marked into evidence as Petitioner's Exhibit 1.

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B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6<sup>th</sup> day of November, 1996 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 23 feet in lieu of the required 30 feet for a proposed 15' x 36.6' addition to the rear of the existing dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TMK:bjs

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County



Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

November 6, 1996

Mr. & Mrs. Kenneth E. Rogers  
201 Gwynnbrook Avenue  
Owings Mills, Maryland 21117

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
NE/CORNER Gwynnbrook Avenue and Byway Road  
(201 Gwynnbrook Avenue)  
4th Election District - 3rd Councilmanic District  
Kenneth E. Rogers, et ux - Petitioners  
Case No. 97-151-A

Dear Mr. & Mrs. Rogers:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File

Printed with Softball Ink  
on Recycled Paper



**Petition for Administrative Variance**  
to the Zoning Commissioner of Baltimore County  
for the property located at 201 Gwynnbrook Ave  
which is presently zoned DR3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3.C.1, B.C.Z.R. TO PERMIT A REAR YARD SETBACK OF 23' FOR AN ADDITION IN LIEU OF THE REQUIRED 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

SEE REVERSE

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Leasee

Type or Print Name

Signature

Address

City

State

Zip Code

Phone No.

City

State

Zip Code

Phone No.

File on solemnly declare and affirm, under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

*Kenneth E. Rogers*

*Kenneth E. Rogers*

*Deborah A. Rogers*

*Deborah A. Rogers*

*Timothy M. Kotroco*

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Exhibit A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 10-13-96

Format for Sign Printing, Black Letters on a White Background:

**ZONING NOTICE**

**ADMINISTRATIVE  
VARIANCE**

Case No.: 97-151-A

TO PERMIT A REAR YARD SET  
BACK OF 23' FOR  
AN ADDITION IN LIEU OF THE REQUIRED  
30'.

**PUBLIC HEARING ?**

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON 10-28-96

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

596  
post.86

151

**Affidavit in support of  
Administrative Variance**

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 201 Gwynnbrook Ave

Owings Mills Md. 21117

City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: we need to enlarge one bedroom house

we are expecting a baby and need to

add another bedroom

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**Zoning Description for  
201 Gwynnbrook Ave.**  
  
THAT PROPERTY LOCATED ON THE  
EASTERN CORNER OF Gwynnbrook Ave.  
AND Byway Rd. Consisting of 1Acre±  
E.D. 4<sup>th</sup> C.D. 3<sup>rd</sup>

ALSO KNOWN AS:  
LOT 1, SECTION A of "PLEASANT  
HILL PARK", PLAT BOOK WPC 7, VOLS

97-151-A

BALTIMORE COUNTY, MARYLAND  
"FICE OF FINANCE - REVENUE DIVISION  
SCHELLANEOUS CASH RECEIPT

DATE 11-1-96 ACCOUNT 151-6150

AMOUNT \$ 50.00

RECEIVED FROM 201 Gwynnbrook Ave.

FOR A. Vane (1017)

FOR 201 Gwynnbrook Ave.

FOR 201 Gwynnbrook Ave.

FOR 201 Gwynnbrook Ave.

FOR 201 Gwynnbrook Ave.

FOR 201 Gwynnbrook Ave.

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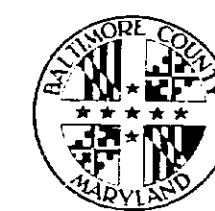
FOR 201 Gwynnbrook Ave.

FOR 201 Gwynnbrook Ave.

FOR 201 Gwynnbrook Ave.

FOR 201 Gwynnbrook Ave.

FOR 201 Gwynnbrook Ave.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

97-151-A

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JARLON, DIRECTOR

For newspaper advertising:

Item No.: 151 Petitioner: Kenneth & Deborah Rogers

Location: Same as Below

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Kenneth & Deborah Rogers

ADDRESS: 201 Gwynnbrook Ave

Owings Mills Md. 21117

PHONE NUMBER: (410) 356-9216

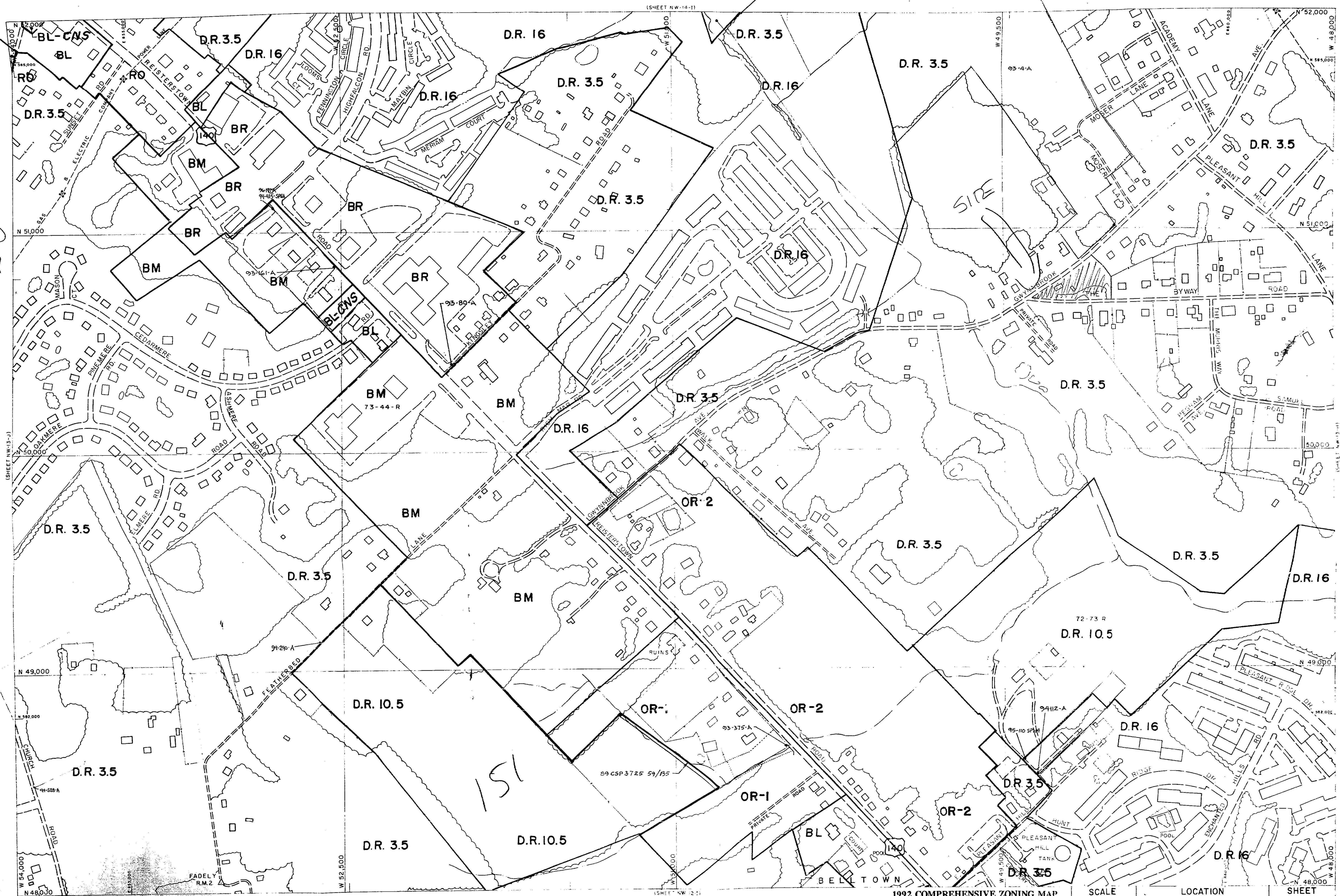
Printed with Softball Ink  
on Recycled Paper







97-151-A



T-NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

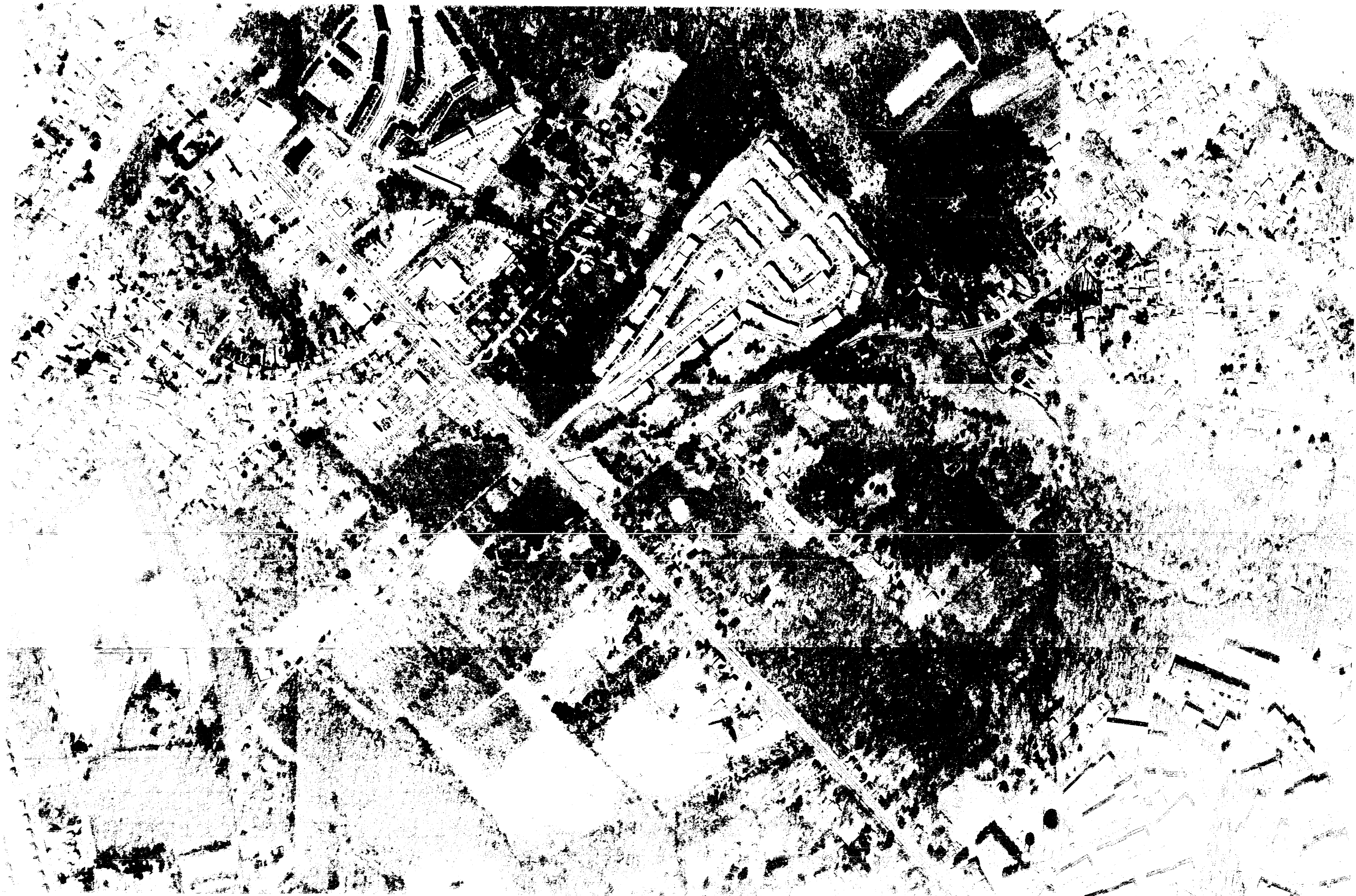
BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1992

*William A. Howard*  
Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200' ±	BELLTOWN	NW
DATE OF PHOTOGRAPHY JANUARY 1986		13-1





BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	BELLTOWN	NW
DATE OF PHOTOGRAPHY JANUARY 1966		13-1